



Sector #3
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Dkt. 58463/JPW/EMW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Harold J. Wanebo and Shashikant Mehta
Serial No. : 09/287,884 Examiner: Not Yet Known
Filed : April 7, 1999 Group Art Unit: 1643
For : COMBINATIONS OF CERAMIDE AND CHEMOTHERAPEUTIC
AGENTS FOR INDUCING CELL DEATH AND USES
THEREOF IN TREATING CANCER

1185 Avenue of the Americas
New York, New York 10036
June 4, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO
MAY 3, 1999 NOTICE TO FILE MISSING
PARTS OF APPLICATION FILING DATE GRANTED**

In response to a Notice to File Missing Parts of Application Filing Date Granted under 37 C.F.R. §1.53(b) issued in connection with the above-identified application on May 3, 1999, a copy of which is enclosed as **Exhibit A**, applicants submit as **Exhibit B** a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f) and in compliance with 37 C.F.R. §1.63. The Declaration refers to the application's above-identified serial number and filing date. In accordance with the Notice, the deadline for submitting the Declaration and Power of Attorney is July 3, 1999. Accordingly, this Communication is being timely filed.

The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(f) is SIXTY-FIVE DOLLARS (\$65.00) for a small entity. Applicants previously established small entity status and such status is still applicable. A check for a total amount of \$65.00 is enclosed to cover the surcharge for filing a Declaration and Power of Attorney.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Assistant Commissioner for Patents, Washington, D.C. 20231.	
<u>Albert Wai-Kit Chan</u>	<u>6/4/99</u>
Albert Wai-Kit Chan	Date
Reg. No. 36,479	

Albert Wai-Kit Chan
John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/287,884	04/07/99	WANEBO	H 58463/JFW/EM

0232/0503

JOHN P WHITE
COOPER & DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

NOT ASSIGNED

1643

DATE MAILED:

05/03/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

Duo: 7/3/99
6mo: 11/3/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of 1 \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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